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BOOK NOTICES.

A TREATISE ON GENERAL PRACTICE, CONTAINING RULES AND SUGGESTIONS FOR THE WORK OF THE ADVOCATE, &c.—By BYRON K. ELLIOTT and WM. F. ELLIOTT. 2 Vols. The Bowen-Merrill Company, Indianapolis and Kansas City.

This treatise is founded on a book by the same authors called "The Work of the Advocate," published some years ago; and is an enlargement of the original work into two large volumes.

It is our design to direct the attention of the profession to this work, without any purpose to review or to criticise it. The elder of the authors has been eminent as a judge in Indiana; and he brings the stores of his experience and observation at the bar and on the bench to make suggestions for the use of the advocate in his double duty; the one "out of court" in preparation for trial, and the other "in court" in the trial practice.

In the discharge of the first duty the learned authors hold that the genius of success is the genius of hard work. The chapters on this branch are on learning and preparing the facts; on the study of the law of the case; on the theory of the case; on the courts and their jurisdiction; on choice of forum; bringing the action, etc.; on evidence by written documents, witnesses, etc.

The chapters on the second branch treat of the preliminaries to trial; and there are valuable suggestions as to the impaneling of juries; statement of case by counsel; examination in chief, cross-examination, re-examination, and impeachment of witnesses. These are followed by a most interesting chapter on the "Address to the Jury," in which illustrations are taken from the experience and practice of such English advocates as Scarlett, Law, Erskine, Brougham, and such American lawyers as Webster, Rufus Choate and others. All the procedure down to the judgment in the trial court, and for appeals, etc., to the court of errors, is then discussed in succeeding chapters.

The book is full of references to English and American cases; and, while not a book of technical practice, is replete with counsel and directions as to the most effective methods of conducting a controversy in all its stages, from the employment of a lawyer to the conclusion of the warfare between the contestants in the consummation of a final decision.

The style is good and clear and full of life. No one can read any part of it without interest, and without obtaining valuable instruction. It is not intended to say that the work is always wise in its suggestions or correct in its advice; but it will be found to be a treatise that will aid all, and which will be of especial value to a young advocate in training him for the conflicts of the forum, and in making his legal knowledge practically efficient in the service of his client, and for the attainment of the great ends of all professional labor in the promotion of justice and in the elevation of the worker himself to a high plane of usefulness and honor, in the conduct of the cases before the tribunals of the country.

J. R. TUCKER.

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